1761551N25A - SH-AD-32A (OPES) (4/91)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: April 20, 2005

EXECUTIVE FORCE REVIEW COMMITTEE
POLICY ASSESSMENT
DISPOSITION SHEET

FILE NO: #2130216

FROM: JOHNNY G. JURADO, COMMANDER
KENNETH J. BRAZILE, COMMANDER
ROBERT L. BINKLEY, COMMANDER

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: VALENCIA, JOSEPH, DEPUTY #[redacted] COMPTON STATION, FOR II

On July 12, 2004, Deputy Valencia and his partner, Deputy Edward Clark, saw the occupant of a vehicle firing a firearm. After a short pursuit, the driver (Chris Perkins) jumped from the still-moving vehicle. As Perkins rose and began running, he withdrew a handgun from his waistband area. When Perkins reached a block wall in the yard of a nearby residence, he turned with the handgun held near his waist. This brought the handgun to bear on the deputies. Deputy Valencia fired four 9mm rounds at Perkins, missing him. Perkins jumped the wall and fled. A containment was set up, and Perkins was eventually located inside his home, inside the containment area. Deputy Clark was unable to remove his pistol from his holster and did not fire his weapon. Although Perkins firearm was never recovered, the interior of his vehicle contained three expended .223 caliber shell casings. An additional .223 shell casing was located in the street where the suspect originally exited his vehicle.

On March 10, 2005, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards. Concerning:

3-01/025.00, Use of Force, 3-01/025.30, Use of Firearms and Deadly Force, and 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Valencia was reasonable and necessary and in compliance with Department policy.

3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by both deputies in this incident were within Department Policy. The Unit Commander was directed to send Deputy Clark's holster to Department Range personnel for safety testing to determine if Deputy Clark's inability to withdraw his weapon was a design flaw that might represent a hazard to other personnel in the future.

Johnny G. Jurado, Commander

Table of Contents

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 07-13-04	Bureau/Station/Facility: COMPTON STATION	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: 404-11226-2836-055	Date: 07-12-04 Time: 2239
City or Station: COMPTON STATION	Nature of Incident: DEPUTY-INVOLVED NON-HIT SHOOTING
Location: [redacted] W. JOHNSON ST.	

Location Type (*circle one or more*):
Backyard
Beach
Business
Freeway
Industrial
Park
Parking Lot
Residence
Rural
School
Street
Other: ____________

Lighting (*circle only one*):
Darkness
Daylight
Other
Street Lights

Weather (*circle only one*):
Clear
Cloudy
Fog
Rain

Distance: 25-30 FEET

Incident Type (*circle one or more*):
Accidental
Armed Person
Fleeing Suspect
Foot Pursuit
Gun Take Away
Moving Vehicle
Sniper/Ambush
Startle
Struggle Involved
Traffic Stop
Unarmed Person
Unintentional
Vehicle Pursuit
Warrant Service
Other: ____________

Initiated by (*circle only one*):
Arrest Warrant
Call
Observation
One Person Unit
Other
Search Warrant
Two Person Unit

Prior Activity (*circle only one*):
Detective
Inmate Transport
Other
Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
4	0	☒	☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	CLARK	EDWARD		**EM** PM Day	**Regular** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.		
NONE				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Last Name	**First Name**	**M.I.**		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Last Name	**First Name**	**M.I.**		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	ALEXEIEF	GEORGE		**On Duty**, Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	RODRIGUEZ	MICHAEL	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	TOKUDA	SEIKO	

PSTD Use Only

SH # 2130216

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: 404-11226-2836-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
07-13-04	0030	10/30/04	

Employee #	Last Name	First Name	M.I
[redacted]	BERG	MICHAEL	R.
[redacted]	SUTTON	WESLEY	M.
[redacted]	LEE	STACY	L.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH					NN	
E1	S1	FH	BR	9	Y	Y	NN	

Officer Involved Shooting
Involved Employee Information

URN: 404-11226-2836-055

Involved Employee

E 1

Employee #	Last Name	First Name	M.I.
[redacted]	VALENCIA	JOSEPH	L.

Sex:	Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
M	H	DEPUTY SHERIFF	COMPTON STATION	284A

ShiftTime (*circle only one*): (EM) PM Day — circled: EM
ShiftType (*circle only one*): (Regular) Overtime Off Duty — circled: Regular
Intoxication/Drug Usage? ☐
Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☒

Hrs of sleep prior to shooting: 6
Duty Time (hrs): [redacted]
Age: [redacted] Height: 6-0 Weight: 220
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest) — circled: Uniform w/ Vest
Other Factors:

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? ☒ | Number of Prior Shootings: 2

Field Training Officer Emp # [redacted] Last Name [redacted] First Name [redacted] M.I. [redacted]

Field Training Officer Emp # Last Name First Name M.I.

E__

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day
ShiftType (*circle only one*): Regular Overtime Off Duty
Intoxication/Drug Usage? ☐
Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting:
Duty Time (hrs):
Age: Height: Weight:
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest
Other Factors:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings:

Field Training Officer Emp # Last Name First Name M.I.

Field Training Officer Emp # Last Name First Name M.I.

E__

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day
ShiftType (*circle only one*): Regular Overtime Off Duty
Intoxication/Drug Usage? ☐
Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting:
Duty Time (hrs):
Age: Height: Weight:
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest
Other Factors:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings:

Field Training Officer Emp # Last Name First Name M.I.

Field Training Officer Emp # Last Name First Name M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 404-11226-2836-055

Suspect Information

S 1

Last Name PERKINS	First Name CHRIS	M.I. D
AKA Last Name	First Name	M.I.

Sex: M Race: B	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 24 D.O.B. 08/21/80	Height: 5-08 Weight: 160	FBI # [redacted]	CII # [redacted]
Booking # 8198057	Primary Charge: 245(D)(2)PC	Secondary Charge: 246.3PC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make CHEV		Model: CAPRICE	Year: 85

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

INVESTIGATIVE SUMMARY
DEPUTY-INVOLVED NON-HIT SHOOTING
IAB SH2130216
URN 404-11226-2836-055

On Monday, July 12, 2004, Sergeants Michael Berg and Wes Sutton of the Internal Affairs Bureau responded to Compton Station regarding a deputy-involved non-hit shooting. Internal Affairs Bureau Lieutenant Stacy Lee also responded.

Deputies Joseph Valencia and his [redacted] Deputy Edward Clark, worked a uniformed patrol car in the city of Compton. While conducting a traffic stop of a vehicle on Cocoa St. east of Acacia Av., Deputy Valencia heard gunshots. He ran to the intersection of Cocoa and Acacia. As he looked south on Acacia, he heard more gunshots and saw a muzzle flash from the interior of a white Chevrolet. The vehicle had one occupant.

Valencia returned to his patrol car, terminated the traffic stop, and drove southbound on Acacia. He saw the suspect vehicle 5 blocks ahead of him, accelerating away. Valencia advised Compton units via L-tac that an illegal shooting occurred. Valencia searched the area for the vehicle. As he and Clark drove southbound on Willowbrook Ave., Valencia saw the vehicle stopped on Caldwell St. Valencia turned his patrol car around and started to turn onto Caldwell. The suspect vehicle passed the patrol car, and Valencia turned around again.

As both vehicles drove southbound on Willowbrook, Valencia requested the "patch" to broadcast a pursuit. The suspect vehicle made a quick right turn onto Johnson St. After 20-30 yards, the vehicle slowed, and the suspect jumped out of the moving vehicle. The suspect vehicle crashed into a parked vehicle. The suspect grabbed at his waistband and removed a handgun with his right hand. The suspect ran toward the deputies' patrol car as Valencia stopped the patrol car.

The suspect turned into a yard at [redacted] and ran west, away from the deputies. Both deputies exited their patrol car. When the suspect came to a cement block wall, he turned to face the deputies, and held his gun at waist-level pointed toward the deputies. Valencia feared the suspect was about to shoot him or his partner. Valencia fired four rounds, all of which missed the suspect. Deputy Clark did not fire.

The suspect jumped over the wall, and ran north toward the next block. Valencia broadcast he had been in a shooting, and set up a containment of the area. The suspect was arrested in his home at [redacted] approximately 10 hours after the incident.

Deputy Klement from the Force Training Unit and Deputy Scott Edge of the Civil Litigation Unit also responded to the incident.

INVOLVED PERSONNEL:

VALENCIA, Joseph, Deputy #[redacted]
Field Operations Region II
Compton Station

EMPLOYEE WORK HISTORY:

VALENCIA, Joseph

Date of Employment	04/11/91
Date assigned to Patrol	[redacted]
Completed Patrol Training	
Prior Shooting Incident(s)	2
Prior Founded Force Incidents	[redacted]

SUSPECT:

Perkins, Chris MB/24 Booking #8198057

Suspect Perkins has an extensive criminal background. A check of the CCHRS (Consolidated Criminal History Reporting System) [redacted] Refer to the CCHRS and RAPS printouts included in **Exhibit A.**

WITNESSES:

Sworn:

CLARK, Edward, Deputy #[redacted]
Field Operations Region II
Compton Station

Civilian:

None

INJURIES:

PERKINS, Chris

-slight puncture wound to the right palm.

-scrape on right shin.

Suspect Perkins sustained a slight puncture wound to the palm of his right hand and a scrape to his right shin while he jumped over a chain link fence. Neither injury required medical attention. Refer to **Exhibit E** for photos of Suspect Perkins' injuries.

No deputies were injured.

PHYSICAL EVIDENCE:

The suspect's stolen vehicle was recovered at the scene. There were four (4) recovered shell casings from the suspect's vehicle: there were three (3) fired 223 Remington caliber cartridge cases (WOLF) recovered from the front floorboard of the white Chevrolet Landau, CA license [redacted] there was also one (1) recovered 223 Remington caliber cartridge case (WOLF) from the street to the left rear of the final resting spot of the LASD patrol vehicle SD1626 (Valencia's vehicle). This shell casing probably fell out of the suspect's driver side door when the suspect opened the driver door in preparation to jump out of the vehicle. There was no suspect weapon recovered at he scene(s). Refer to the photos, Crime Lab report and diagram **(Exhibits B, C, F & G).**

There were three (3) recovered 9mm luger cartridge cases found to the left rear of Valencia's vehicle, and one (1) 9mm luger cartridge case found under Valencia's vehicle. These had been fired by Deputy Valencia.

There were two (2) bullet holes located in the picket fence of [redacted] Both bullets trajectory were in a northwest direction. Two (2) bullet impacts were located in the west cement block wall of [redacted]

Additional physical evidence was recovered between the shooting scene and the suspect's apartment, including evidence in the suspect's apartment ([redacted]). This evidence was not directly related to the shooting, however, was instrumental regarding the suspect's charged crimes. Refer to the supplementary criminal reports (Exhibit A) for additional evidentiary information.

Refer to the crime scene diagram and legend for exact positions and measurements of the bullet strikes, shell casings, and suspect's weapon (**Exhibit B**).

Refer to the property damage section for additional comments regarding bullet strikes to private property and collision damage to the suspect's vehicle and civilian vehicle.

The crime scene was processed by Forensic Identification Specialist Martin Mutuc of Scientific Services Bureau, and Firearms Examiner Criminalist Patricia Rines.

INVESTIGATOR OBSERVATIONS:

The physical evidence at the shooting scene (positions of the deputy's shell casings, position/direction of the deputy's bullet strikes and recovered rounds) appears to be consistent with the deputies' versions of the events.

Refer to **Exhibits G-I** for photographs of the scene, and the above physical evidence section for additional information.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Valencia, Joseph

Departmental-issued service firearm; Beretta 92F, 9mm, serial #BER [redacted]Z; **4 rounds of duty issue 9mm ammunition fired**. Valencia carried his weapon with 15 rounds in the magazine and one in the chamber. Following the shooting, he had 11 rounds in his magazine, and one in the chamber. All of Valencia's rounds were recovered and accounted for. Refer to the Property Damage section for additional information. Also refer to the Crime Lab report and examination of Valencia's weapon **(Exhibit B, lab receipt J585950, Item #A)**.

WEAPONS USED BY SUSPECT:

Suspect Perkins fled from the deputies in a stolen car. As they attempted to make a traffic stop of Perkins, he jumped out of the vehicle as it still moved forward. The vehicle crashed into a parked vehicle. As Perkins ran toward the deputies, he grabbed at his waistband. As Perkins ran from deputies, he turned around and pointed a black handgun at the deputies.

The deputies originally pursued Perkins because they observed Perkins commit a drive-by shooting. The deputies believed Perkins was armed with a firearm. Shell casings (7.62mm) were recovered inside Perkins' stolen vehicle, and on the ground outside of the vehicle. Refer to photos in **Exhibit F**, and the Crime Lab evidence list, **Exhibit B**.

PROPERTY DAMAGE:

The following private property was damaged:

-(2) Two bullet strikes to a wood picket fence in front of [redacted] Two wood slats were struck.

-(2) Two bullet strikes to the north/south concrete/stucco wall at the west end of the front yard at [redacted] The wall separates [redacted] from the driveway of [redacted]

-Parked vehicle; gray Toyota Pickup truck with camper shell, CA License [redacted] vehicle was originally parked in front of [redacted] on the north curb line. The rear of the truck was crashed into by the vehicle Suspect Perkins drove, and pushed to its resting place on the sidewalk in front of [redacted]

-Stolen vehicle, driven by Suspect Perkins; white Chevrolet Caprice, CA License [redacted] the front of the vehicle crashed into the above listed parked vehicle.

Refer to the photos of the above damaged property, **Exhibit I**. No department property was damaged. Deputy Edge of Civil Litigation responded to the scene.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator's Name	Detective Ronald Reynolds (CPT)
Court	Compton
Charges Filed	664/187 PC/ 10851(a) VC/
	496.1 PC/ 2800 VC
Court Date	11/10/04
Case Number	TA075529

The criminal case was scheduled to go to trial around the time of the submission of this case.

LIGHTING OR WEATHER CONDITIONS:

The weather was clear, cool, and dark at the time of the shooting (approximately 2240 hours). The suspect's location in the yard was almost directly beneath a streetlight. The scene was further illuminated by the patrol car's spotlights, headlights and overhead rotating lights.

INVOLVED EMPLOYEES STATEMENTS:

Deputy Valencia, Joseph

Deputy Valencia worked a two-man, uniformed patrol car (284A/E) in Compton. He worked with his [redacted] and partner, Deputy Edward Clark.

Valencia and Clark were conducting a traffic stop of a vehicle on Cocoa St. east of Acacia Ave. Valencia heard several gunshots from the south of his position. He walked to the corner of Cocoa and Acacia, and looked south toward where he heard the gunshots. Valencia saw a white, older model Chevrolet faced southbound on Acacia. Valencia then saw muzzle flash and heard gunfire from the interior of the Chevrolet. Valencia saw one occupant inside the suspect vehicle.

Valencia alerted his partner of what he saw. Valencia returned to his vehicle, terminated the traffic stop, and drove southbound on Acacia. Valencia advised other units concerning his observation over Sheriff's radio frequency L-tac, or L-tac direct. One Compton unit acknowledged and responded toward the area. Valencia did not advise other Compton units of the vehicle description because he did not know exactly what kind of vehicle was involved at this point. Valencia did not broadcast the incident over the dispatch frequency "patch" because he only had basic information and did not want to tie up the frequency.

He saw the suspect's vehicle drive southbound on Acacia, approximately 5 blocks ahead of their patrol car. The suspect vehicle accelerated, then turned eastbound on a street off of Acacia. Valencia believed the car would exit onto Willowbrook Ave. and he drove to southbound Willowbrook. Valencia advised Clark to watch for headlights that matched the suspect vehicle. Valencia believed the shooting was gang-related.

As he approached Caldwell St., Valencia saw a vehicle stopped and saw what he believed was the suspect vehicle on the south side of the street. He passed the suspect vehicle, then turned around and turned into Caldwell. The suspect vehicle drove past the patrol car. Valencia used his spotlight to illuminate the interior of the suspect vehicle as they passed. Valencia saw a male Black, later identified as Suspect Perkins.

Valencia made a 3-point turn, and drove after the suspect vehicle. Valencia saw and heard the suspect accelerate away from the patrol car. Valencia drove southbound on Willowbrook as he followed the suspect vehicle. Valencia asked for the "patch" via Sheriff's radio in order to initiate a pursuit broadcast.

> **IAB Note: A taped copy of the radio traffic identifies Valencia as attempting to broadcast emergent traffic. He is initially unable to broadcast his traffic. By the time the dispatcher acknowledged Valencia, the suspect had exited his vehicle and ran. Within seconds, Valencia then broadcast a 998.**

Valencia turned on the overhead lights, and the siren was on "manual." The suspect quickly turned right (westbound) onto Johnson St. After approximately 20-30 yards onto Johnson St., Valencia saw the suspect's driver door open. Valencia believed the suspect would get out of the vehicle and run. Approximately 10 seconds passed from the time Valencia began to follow the suspect vehicle (on Willowbrook) until it crashed (on Johnson).

The vehicle slowed, and the suspect jumped out while the car was still in motion. The vehicle crashed into a parked vehicle [redacted] of [redacted] The suspect stumbled, reached for his waistband with his right hand, and grabbed a firearm. The suspect ran east toward the patrol car. Valencia stopped the patrol car, and believed the suspect would engage him. Valencia alerted his partner the suspect was armed.

The suspect turned and ran north, then west into the yard at [redacted] Valencia and Clark exited their patrol car. Valencia could see the firearm in the suspect's hand. When the suspect reached a cement block wall (at the west end of [redacted]), he turned to the right and faced Valencia and Clark. The suspect's gun was at his waist-level, and was pointed toward Valencia. Valencia believed the suspect wanted to engage the deputies because he turned to face them instead of continuing to run away. Valencia believed he was about to be shot by the suspect.

As Valencia stood behind his open driver's door, he fired four rounds at the suspect from his duty weapon. Valencia estimated approximately 7 seconds passed from the time he requested the "patch" until he broadcast "998 (Deputy Involved in a Shooting)." Valencia conducted all of the radio transmissions. Valencia did not use any verbal commands toward the suspect.

At the time of the shooting, Valencia believed Clark was approximately 10 feet north of the patrol car, near the front quarter panel of the car, near the sidewalk. Valencia did not see Clark's specific actions because he was focused on the suspect.

The suspect jumped over the wall and ran northbound. Valencia lost sight of the suspect behind the wall as the wall increased in height. Valencia initiated a containment via his radio. Various resources came out to assist with the search for the suspect. Valencia and Clark went to the station.

Because he knew the area, Valencia drove back to the scene with his [redacted] He located a house on Caldwell St. that he knew was a common hiding spot for the suspect's particular gang. Valencia assisted the dog handlers. Subsequently, the suspect was located at [redacted] W. Caldwell St. approximately 10-12 hours after the shooting occurred. Valencia was not advised to return to the scene by anyone, but returned because of his "intuition."

> **IAB Note: Refer to the criminal supplementary report by Detective Reynolds for further information regarding the investigation and arrest of the suspect after the shooting, Exhibit A.**

Deputy Valencia was given a diagram of the crime scene. He placed the positions of himself, Clark and the suspect at the time of the shooting on the diagram. Refer to **Exhibit C.**

WITNESS STATEMENTS:

Civilian Witnesses

None

Deputy Witness

Deputy Clark, Edward
Deputy Clark worked a two-man, uniformed patrol car (284A/E) in Compton. He worked with his [redacted] and partner, Deputy Joseph Valencia.

Clark and his partner conducted a traffic stop of a car on a street east of Acacia Ave. They heard gunshots come from somewhere south of their location on Acacia. Deputy Valencia went to the intersection. Valencia returned to the patrol car and told Clark he had seen someone shooting from a vehicle.

The deputies ended the traffic stop and drove southbound on Acacia. Clark saw the taillights of an 80's model Chevrolet drive away from them. Both Valencia and Clark advised other units over L-tac what had occurred. Clark believed using L-tac was the appropriate response instead of using the "patch." The suspect vehicle turned eastbound onto an unknown street. Valencia drove to Willowbrook Ave. and went southbound. As they drove past Caldwell St., they saw headlights of a vehicle which they believed matched the suspect's Chevrolet. They turned back northbound on Willowbrook and onto westbound Caldwell St when the suspect vehicle drove past them. Valencia illuminated the vehicle with his spotlight and saw one male black occupant/driver.

The deputies turned around to follow the vehicle as it accelerated southbound on Willowbrook Ave. Deputy Valencia initiated a pursuit broadcast via the dispatch frequency. Simultaneously, Clark made a broadcast via L-tac. They pursued the vehicle for a block on Willowbrook, then the vehicle turned west onto Johnson St. In front of [redacted], the suspect jumped out of the car. The car continued to roll forward. The suspect ran toward the patrol car as it approached, then ran into a driveway at [redacted] Valencia stopped the patrol car just east of the driveway at [redacted]

Clark exited the patrol car and ran 3-4 steps away from the patrol car toward the mouth of the driveway. Clark ran away from the patrol car toward the suspect to get a better observation of the suspect and see what the suspect was doing. Clark ran toward a fence post next to the driveway. The suspect ran west across the front yard toward a short, block wall. Clark did not see the suspect with a gun when he exited his car. Before the suspect reached the block wall, the suspect turned

suddenly with a handgun in his hand. Clark felt fearful and thought the suspect was going to shoot at him. Clark heard his partner fire at the suspect. The suspect jumped over the wall and ran northbound out of view.

Clark believed the total elapsed time from the initial pursuit broadcast until they exited their patrol car was 10-15 seconds. After the shooting, Valencia broadcast a 998 over his radio, and set up a containment of the area.

At the time the ~~suspect~~ deputy fired, Clark was in the mouth of the driveway. Clark had not drawn his weapon at that point, and never was able to draw his firearm. Clark knew they were pursuing a vehicle which had fired shots, and Valencia told Clark the suspect was armed as the suspect exited his vehicle. Clark tried to draw his weapon but was unable to do so. He felt that he did not have adequate cover or concealment.

Clark had a problem with his holster, and could not draw his weapon. He did not know if the stress of the situation, the mechanics of the holster, or lack of practice led to this problem. Clark carried an H & K USP .45 caliber pistol. Since the incident, Clark found the gun would move forward in the holster when he sat in a patrol car. He believed this caused a problem with releasing the holster strap. Clark has since replaced his holster with a new one, and has not encountered any problems. Due to practice, Clark is now more proficient at drawing his weapon from his holster.

Deputy Clark was given a diagram of the crime scene. He placed the positions of himself, Valencia and the suspect at the time of the shooting on the diagram. Refer to **Exhibit C**.

SUSPECT STATEMENT:

At about 2100 hours (on 07-12-04), Suspect Perkins decided to walk to the liquor store on the southeast corner of Acacia Avenue and Alondra Boulevard. He walked west on Caldwell Avenue and saw the stolen vehicle (white Chevrolet, license [redacted]) parked near his residence. Perkins knew the vehicle was stolen because it had no key and he had driven it on several prior occasions when he had to go somewhere.

Perkins drove the car to the liquor store. He purchased some liquor and stayed at he store for several minutes, talking to friends. Perkins left the store and drove south on Acacia, then east on Caldwell. He saw several police cars in the area when he was on Caldwell. Because he knew the car was stolen, Perkins wanted to park it away from his residence. As he drove on Willowbrook Avenue, he passes a patrol car. The patrol car immediately made a U-turn behind him. Perkins decided to run from the police because he was on probation, and knew he was in a stolen car.

Perkins accelerated away from the police, and turned westbound onto Johnson Street. He wanted to stop halfway down Johnson Street since his residence is [redacted] Perkins had used this escape route in the past.

As soon as he turned onto Johnson Street, Perkins opened the driver's door of the vehicle, put his left foot out, and waited for the right area to jump from the vehicle. Halfway down the street, Perkins hit the brakes and jumped from the (still moving) car. The car lurched forward and caused Perkins to lose his balance and roll to the ground. When he stood up, he saw the deputies. Perkins grabbed the waistband of his pants so he could run faster. He ran into the yard of [redacted] then across the yard to the short wall on the west side of [redacted] Perkins wanted to get to the other yard because their rear fence is shorter, and easier to jump over into his yard.

IAB Note: Perkins actually ran into the yard at [redacted]

When he reached the short wall, Perkins looked back to see where the deputies were located. He grabbed his waistband to pull up his pants, in order to climb over the wall more quickly. Perkins heard several gunshots. At the time, he did not realize deputies had shot at him. He ran north through the yard and over the rear fence. When Perkins climbed over the fence, his shoe came off. He believed the deputies were chasing him, so he did not stop to pick up his shoe.

He continued over the east fence onto his property, and entered his residence. Perkins stayed inside his residence until he came outside when deputies made announcements over their P.A. system. Perkins punctured his hand when he jumped over the chain link fence as he fled from deputies. When Perkins opened his front door, his hand dripped blood onto the front porch.

Perkins denied possessing a gun or shooting a gun on Acacia Avenue. Perkins initially acknowledged seeing the expended casings inside the stolen car, then denied having any knowledge of them. Perkins claimed he did not possess a gun when he jumped from the stolen vehicle. Perkins understood why his actions would lead deputies to believe he had a gun, and shoot at him.

MISCELLANEOUS SECTION:

None